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INFO RUEHBR/AMEMBASSY BRASILIA PRIORITY 8145  
RUEHCV/AMEMBASSY CARACAS PRIORITY 0292  
RUEHLP/AMEMBASSY LA PAZ APR 9386  
RUEHPE/AMEMBASSY LIMA PRIORITY 6128  
RUEHQT/AMEMBASSY QUITO PRIORITY 6780  
RUEHGL/AMCONSUL GUAYAQUIL PRIORITY 4388  
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SUBJECT: GOC ISSUES FARC DEMOBILIZATION DECREE FOR JUSTICE  
AND PEACE PROCESS

¶1. On April 9, the Minister of Interior and Justice (MOIJ) announced a new decree that would allow 750 individually demobilized FARC to receive benefits under the Justice and Peace Law (JPL), similar to those received by demobilized paramilitary. Decree 1059 would put the jailed FARC into two categories for judicial processing: 1) those investigated or sentenced for sedition, or "political crimes" as defined by Law 782 would receive a pardon and enter a reintegration program; and 2) those who have committed serious human rights crimes can apply to enter the JPL process under conditions set by Law 975 and receive sentences between five to eight years. Currently, over 1700 FARC are in jail.

¶2. FARC members who receive pardons would enter a reintegration program, much like demobilized paramilitaries, which would offer vocational training, medical benefits, and psycho-social monitoring and counseling through home visits. Demobilized going through the JPL process must make written statements affirming they will lay down their weapons, publicly reject involvement with the FARC, confess their crimes, and contribute to the FARC's dismantling as part of their obligations to satisfy the JPL's justice, truth, and reparations requirements. The Operative Committee for Abandoning Arms (CODA) under the MOD will evaluate the request for JPL benefits, in conjunction with the Ministry of Interior and Justice and the Prosecutor General's Office.

¶3. The decree is an effort by the GOC to address the fate of former FARC members as it continues efforts to reach a humanitarian accord with the FARC on the exchange of FARC members held in GOC jails for the FARC's approximately 45 "political" hostages. The GOC unilaterally released 150 FARC last June as a conciliatory gesture that was rejected by the group. The GOC believes that through the decree, it will increase the pressure on the FARC to negotiate and will further undercut the group's morale. Over 2000 FARC deserted in 2007, and morale is on the decline after several members of the FARC secretariat, as well as key front leaders, were killed by Colombian military forces this year.

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